

107TH CONGRESS
2D SESSION

H. R. 5200

IN THE SENATE OF THE UNITED STATES

OCTOBER 16, 2002

Received

AN ACT

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Clark County Con-
3 servation of Public Land and Natural Resources Act of
4 2002”.

5 **SEC. 2. TABLE OF CONTENTS.**

6 The table of contents of this Act is as follows:

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- Sec. 809. Future benefits.

TITLE IX—MISCELLANEOUS PROVISIONS

- Sec. 901. Technical amendments to the Mesquite Lands Act 2001.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) AGREEMENT.—The term “Agreement”
 4 means the Agreement entitled “Interim Cooperative
 5 Management Agreement Between the United States
 6 of the Interior Bureau of Land Management and
 7 Clark County”, dated November 4, 1992.

8 (2) COUNTY.—The term “County” means Clark
 9 County, Nevada.

1 (3) SECRETARY.—The term “Secretary”
2 means—

3 (A) the Secretary of Agriculture with re-
4 spect to land in the National Forest System; or

5 (B) the Secretary of the Interior, with re-
6 spect to other Federal land.

7 (4) STATE.—The term “State” means the State
8 of Nevada.

9 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

10 There is authorized such sums as may be necessary
11 to carry out this Act.

12 **TITLE I—RED ROCK CANYON NA-**
13 **TIONAL CONSERVATION AREA**
14 **LAND EXCHANGE AND**
15 **BOUNDARY ADJUSTMENT**

16 **SEC. 101. SHORT TITLE.**

17 This title may be cited as the “Red Rock Canyon Na-
18 tional Conservation Area Protection and Enhancement
19 Act of 2002”.

20 **SEC. 102. DEFINITIONS.**

21 As used in this title:

22 (1) CORPORATION.—The term “Corporation”
23 means the Howard Hughes Corporation, an affiliate
24 of the Rouse Company, with its principal place of

1 business at 10000 West Charleston Boulevard, Las
2 Vegas, Nevada.

3 (2) RED ROCK CANYON.—The term “Red Rock
4 Canyon” means the Red Rock Canyon National
5 Conservation Area, consisting of approximately
6 195,780 acres of public lands in Clark County, Ne-
7 vada, specially designated for protection in the Red
8 Rock Canyon National Conservation Area Establish-
9 ment Act of 1990 (16 U.S.C. 460ccc et seq.), as de-
10 picted on the Red Rock Canyon Map.

11 (3) RED ROCK CANYON MAP.—The term “Red
12 Rock Canyon Map” means the map entitled “South-
13 ern Nevada Public Land Management Act”, dated
14 October 1, 2002.

15 **SEC. 103. FINDINGS AND PURPOSES.**

16 (a) FINDINGS.—The Congress makes the following
17 findings:

18 (1) Red Rock Canyon is a natural resource of
19 major significance to the people of Nevada and the
20 United States. It must be protected in its natural
21 state for the enjoyment of future generations of Ne-
22 vadans and Americans, and enhanced wherever pos-
23 sible.

24 (2) In 1998, the Congress enacted the Southern
25 Nevada Public Lands Management Act of 1998

1 (Public Law 105-263), which provided among other
2 things for the protection and enhancement of Red
3 Rock Canyon.—

4 (3) The Corporation owns much of the private
5 land on Red Rock Canyon's eastern boundary, and
6 is engaged in developing a large-scale master-
7 planned community.

8 (4) Included in the Corporation's land holdings
9 are 1,071 acres of high-ground lands at the eastern
10 edge of Red Rock Canyon. These lands were in-
11 tended to be included in Red Rock, but to date have
12 not been acquired by the United States. The protec-
13 tion of this high-ground acreage would preserve an
14 important element of the western Las Vegas Valley
15 viewshed.—

16 (5) The Corporation has volunteered to forgo
17 development of the high-ground lands, and proposes
18 that the United States acquire title to the lands so
19 that they can be preserved in perpetuity to protect
20 and expand Red Rock Canyon.

21 (b) PURPOSES.—The purpose of this title are:

22 (1) To accomplish an exchange of lands be-
23 tween the United States and the Corporation that
24 would transfer certain high-ground lands to the
25 United States in exchange for the transfer of other

1 lands of approximately equal value to the Corpora-
2 tion.

3 (2) To protect Red Rock Canyon and to expand
4 its boundaries as contemplated by the Bureau of
5 Land Management, as depicted on the Red Rock
6 Canyon Map.

7 (3) To further fulfill the purposes of the South-
8 ern Nevada Public Lands Management Act of 1998
9 and the Red Rock Canyon National Conservation
10 Area Establishment Act of 1990.

11 **SEC. 104. RED ROCK CANYON LAND EXCHANGE.**

12 (a) ACQUISITION REQUIREMENT.—If the Corporation
13 offers to convey to the United States all right, title, and
14 interest in and to the approximately 1,082 acres of non-
15 Federal land owned by the Corporation and depicted on
16 the Red Rock Canyon Map as “Offered Lands proposed
17 addition to the Red Rock Canyon NCA”, the Secretary
18 shall accept such offer on behalf of the United States, and
19 not later than 90 days after the date of the offer, except
20 as otherwise provided in this title, shall make the following
21 conveyances:

22 (1) To the Corporation, the approximately 998
23 acres of Federal lands depicted on the Red Rock
24 Canyon Map as “Public land selected for exchange”.

1 (2) To Clark County, Nevada, the approxi-
2 mately 1,221 acres of Federal lands depicted on the
3 Red Rock Canyon Map as “Proposed BLM transfer
4 for county park”.

5 (b) SIMULTANEOUS CONVEYANCES.—Title to the pri-
6 vate property and the Federal property to be conveyed
7 pursuant to this section shall be conveyed at the same
8 time.

9 (c) MAP.—The Secretary shall keep the Red Rock
10 Canyon Map on file and available for public inspection in
11 the Las Vegas District Office of the Bureau of Land Man-
12 agement in Nevada, and the State Office of the Bureau
13 of Land Management, Reno, Nevada.

14 (d) CONDITIONS.—

15 (1) HAZARDOUS MATERIALS.—As a condition of
16 the conveyance under —subsection (a)(1), the Sec-
17 retary shall require that the Corporation be respon-
18 sible for removal of and remediation related to any
19 hazardous materials that are present on the property
20 conveyed to the United States under subsection (a).

21 (2) SURVEY.—As a condition of the conveyance
22 under subsection (a)(1), the Secretary shall require
23 that not later than 90 days after the date of the
24 offer referred to in subsection (a), the Corporation
25 shall provide a metes and bounds survey, that is ac-

ceptable to the Corporation, Clark County, and the Secretary, of the common boundary between the parcels of land to be conveyed under subsection (a).

(3) LANDS CONVEYED TO CLARK COUNTY.—As a condition of the conveyance under subsection (a)(2), the Secretary shall require that—

(A) the lands transferred to Clark County by the United States must be held in perpetuity by the County for use only as a public park or as part of a public regional trail system; and

(B) if the County attempts to transfer the lands or to undertake a use on the lands that is inconsistent with their preservation and use as described in subparagraph (A), such lands shall, at the discretion of the Secretary, revert to the United States.

(e) VALUATION.—

(1) EQUAL VALUE EXCHANGE.—The values of the Federal parcel and the non-Federal parcel, as determined under paragraph (2)—

(A) shall be equal; or

(B) if the values are not equal, shall be equalized in accordance with paragraph (3).

(2) APPRAISAL.—The values of the Federal parcel and the non-Federal parcel shall be deter-

1 mined by an appraisal, to be approved by the Sec-
 2 retary, that complies with the Uniform Standards
 3 for Federal Land Acquisitions.

4 (3) EQUALIZATION.—

5 (A) IN GENERAL.—If the value of the non-
 6 Federal parcel is less than the value of the Fed-
 7 eral parcel—

8 (i) the Corporation shall make a cash
 9 equalization payment to the Secretary; or

10 (ii) the Secretary shall, as determined
 11 to be appropriate by the Secretary and the
 12 Corporation, reduce the acreage of the
 13 Federal parcel.

14 (B) DISPOSITION OF PROCEEDS.—The
 15 Secretary shall deposit any cash equalization
 16 payments received under subparagraph (A)(i) in
 17 accordance with section 4(e)(1)(C) of the
 18 Southern Nevada Public Land Management Act
 19 of 1998 (112 Stat. 2345).

20 **SEC. 105. STATUS AND MANAGEMENT OF LANDS.**

21 (a) INCLUSION AND MANAGEMENT OF LANDS.—

22 Upon the date of the enactment of this Act, the Secretary
 23 shall administer the lands depicted on the Red Rock Map
 24 as “Public Lands-proposed addition to the Red Rock Can-
 25 yon NCA”, exclusive of those lands used for the Corps

1 of Engineers R-4 Detention Basin, as part of Red Rock
2 and in accordance with the Red Rock Canyon National
3 Conservation Area Establishment Act of 1990 (16 U.S.C.
4 460ccc et seq.) and all other applicable laws.

5 (b) INCLUSION OF ACQUIRED LANDS.—Upon acqui-
6 sition by the United States of lands under this Act, the
7 Secretary shall—

8 (1) administer the lands as part of Red Rock
9 and in accordance with the Red Rock Canyon Na-
10 tional Conservation Area Establishment Act of 1990
11 (16 U.S.C. 460ccc et seq.), the Southern Nevada
12 Public Lands Management Act of 1998 (Public Law
13 105–263), and all other applicable laws; and

14 (2) create new maps showing the boundaries of
15 Red Rock as modified or pursuant to this Act, and
16 make such maps available for review at the Las
17 Vegas District Office of the Bureau of Land Man-
18 agement and the State Office of the Bureau of Land
19 Management, Reno, Nevada.

20 (c) CONFORMING AMENDMENT.—Section 3(a)(2) of
21 the Red Rock Canyon National Conservation Area Estab-
22 lishment Act of 1990 (16 U.S.C. 460ccc–1(a)(2)) is
23 amended by inserting before the period the following: “,
24 and such additional areas as are included in the conserva-
25 tion area pursuant to the Red Rock Canyon National Con-

1 servation Area Protection and Enhancement Act of
2 2002”.

3 **SEC. 106. GENERAL PROVISIONS.**

4 (a) REVIEW OF APPRAISAL.—Not later than 90 days
5 after the date of the enactment of this Act, the Secretary
6 shall complete a review of the appraisal entitled, “Com-
7 plete Self-Contained Appraisal Red Rock Exchange, Las
8 Vegas, Nevada”, completed on or about June 3, 2002. The
9 difference in appraisal values shall be reimbursed to the
10 Secretary by the Corporation in accordance with the
11 Southern Nevada Public Lands Management Act of 1998.

12 (b) VALID EXISTING RIGHTS.—The land exchange
13 under this Act shall be subject to valid existing rights.
14 Each party to which property is conveyed under this Act
15 shall succeed to the rights and obligations of the conveying
16 party with respect to any lease, right-of-way, permit, or
17 other valid existing right to which the property is subject.

18 (c) TECHNICAL CORRECTIONS.—Nothing in this Act
19 prohibits the parties to the conveyances under this Act
20 from agreeing to the correction of technical errors or omis-
21 sions in the Red Rock Map.

22 (d) WITHDRAWAL OF AFFECTED LANDS.—To the ex-
23 tent not already accomplished under law or administrative
24 action, the Secretary shall withdraw from operation of the

1 public land and mining laws, subject to valid existing
2 rights—

3 (1) those Federal lands acquired by the United
4 States under this Act; and

5 (2) those Federal lands already owned by the
6 United States on the date of enactment of this Act
7 but included within the Red Rock National Con-
8 servation Area boundaries by this Act.

9 **TITLE II—WILDERNESS AREAS**

10 **SEC. 201. FINDINGS.**

11 The Congress finds that—

12 (1) public land in the County contains unique
13 and spectacular natural resources, including—

14 (A) priceless habitat for numerous species
15 of plants and wildlife; and

16 (B) thousands of acres of pristine land
17 that remain in a natural state;

18 (2) continued preservation of those areas would
19 benefit the County and all of the United States by—

20 (A) ensuring the conservation of eco-
21 logically diverse habitat;

22 (B) conserving primitive recreational re-
23 sources; and

24 (C) protecting air and water quality.

1 **SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
2 **VATION SYSTEM.**

3 (a) ADDITIONS.—The following land in the State is
4 designated as wilderness and as components of the Na-
5 tional Wilderness Preservation System:

6 (1) ARROW CANYON WILDERNESS.—Certain
7 Federal land managed by the Bureau of Land Man-
8 agement, comprising approximately 27,530 acres, as
9 generally depicted on the map entitled “Arrow Can-
10 yon”, dated October 1, 2002, which shall be known
11 as the “Arrow Canyon Wilderness”.

12 (2) BLACK CANYON WILDERNESS.—Certain
13 Federal land within the Lake Mead National Recre-
14 ation Area and an adjacent portion of Federal land
15 managed by the Bureau of Land Management, com-
16 prising approximately 17,220 acres, as generally de-
17 picted on the map entitled “Eldorado/Spirit Moun-
18 tain”, dated October 1, 2002, which shall be known
19 as the Black Canyon Wilderness .

20 (3) BRIDGE CANYON WILDERNESS.—Certain
21 Federal land within the Lake Mead National Recre-
22 ation Area, comprising approximately 7,761 acres,
23 as generally depicted on the map entitled “Eldorado/
24 Spirit Mountain”, dated October 1, 2002, which
25 shall be known as “the Bridge Canyon Wilderness”.

1 (4) ELDORADO WILDERNESS.—Certain Federal
2 land within the Lake Mead National Recreation
3 Area and an adjacent portion of Federal land man-
4 aged by the Bureau of Land Management, com-
5 prising approximately 31,950 acres, as generally de-
6 picted on the map entitled “Eldorado/Spirit Moun-
7 tain”, dated October 1, 2002, which shall be known
8 as the “Eldorado Wilderness”.

9 (5) IRETEBA PEAKS WILDERNESS.—Certain
10 Federal land within the Lake Mead National Recre-
11 ation Area and an adjacent portion of Federal land
12 managed by the Bureau of Land Management, com-
13 prising approximately 32,745 acres, as generally de-
14 picted on the map entitled “Eldorado/Spirit Moun-
15 tain”, dated October 1, 2002, which shall be known
16 as the “Ireteba Peaks Wilderness”.

17 (6) JIMBILNAN WILDERNESS.—Certain Federal
18 land within the Lake Mead National Recreation
19 Area, comprising approximately 18,879 acres, as
20 generally depicted on the map entitled “Muddy
21 Mountains”, dated October 1, 2002, which shall be
22 known as the “Jimbilnan Wilderness”.

23 (7) JUMBO SPRINGS WILDERNESS.—Certain
24 Federal land managed by the Bureau of Land Man-
25 agement, comprising approximately 4,631 acres, as

1 generally depicted on the map entitled “Gold
2 Butte”, dated October 1, 2002, which shall be
3 known as the “Jumbo Springs Wilderness”.

4 (8) LA MADRE MOUNTAIN WILDERNESS.—Cer-
5 tain Federal land within the Toiyabe National For-
6 est and an adjacent portion of Federal land man-
7 aged by the Bureau of Land Management, com-
8 prising approximately 47,180 acres, as generally de-
9 picted on the map entitled “Spring Mountains”,
10 dated October 1, 2002, which shall be known as the
11 “La Madre Mountain Wilderness”.

12 (9) LIME CANYON WILDERNESS.—Certain Fed-
13 eral land managed by the Bureau of Land Manage-
14 ment, comprising approximately 23,233 acres, as
15 generally depicted on the map entitled “Gold
16 Butte”, dated October 1, 2002, which shall be
17 known as the “Lime Canyon Wilderness”.

18 (10) MT. CHARLESTON WILDERNESS ADDI-
19 TIONS.—Certain Federal land within the Toiyabe
20 National Forest and an adjacent portion of Federal
21 land managed by the Bureau of Land Management,
22 comprising approximately 13,598 acres, as generally
23 depicted on the map entitled “Spring Mountains”,
24 dated October 1, 2002, which shall be included in
25 the Mt. Charleston Wilderness.

1 (11) MUDDY MOUNTAINS WILDERNESS.—Cer-
2 tain Federal land within the Lake Mead National
3 Recreation Area and an adjacent portion of land
4 managed by the Bureau of Land Management, com-
5 prising approximately 48,019 acres, as generally de-
6 picted on the map entitled “Muddy Mountains”,
7 dated October 1, 2002, which shall be known as the
8 Muddy Mountains Wilderness.

9 (12) NELLIS WASH WILDERNESS.—Certain
10 Federal land within the Lake Mead National Recre-
11 ation Area, comprising approximately 16,423 acres,
12 as generally depicted on the map entitled “Eldorado/
13 Spirit Mountain”, dated October 1, 2002, which
14 shall be known as the Nellis Wash Wilderness.

15 (13) NORTH MCCULLOUGH WILDERNESS.—Cer-
16 tain Federal land managed by the Bureau of Land
17 Management, comprising approximately 14,763
18 acres, as generally depicted on the map entitled
19 “McCulloughs”, dated October 1, 2002, which shall
20 be known as the North McCullough Wilderness.

21 (14) PINTO VALLEY WILDERNESS.—Certain
22 Federal land within the Lake Mead National Recre-
23 ation Area, comprising approximately 39,173 acres,
24 as generally depicted on the map entitled “Muddy

1 Mountains”, dated October 1, 2002, which shall be
2 known as the Pinto Valley Wilderness.

3 (15) RAINBOW MOUNTAIN WILDERNESS.—Cer-
4 tain Federal land within the Toiyabe National For-
5 est and an adjacent portion of Federal land man-
6 aged by the Bureau of Land Management, com-
7 prising approximately 24,997 acres, as generally de-
8 picted on the map entitled “Spring Mountains”,
9 dated October 1, 2002, which shall be known as the
10 Rainbow Mountain Wilderness.

11 (16) SOUTH MCCULLOUGH WILDERNESS.—Cer-
12 tain Federal land managed by the Bureau of Land
13 Management, comprising approximately 44,245
14 acres, as generally depicted on the map entitled
15 “McCulloughs”, dated October 1, 2002, which shall
16 be known as the South McCullough Wilderness.

17 (17) SPIRIT MOUNTAIN WILDERNESS.—Certain
18 Federal land within the Lake Mead National Recre-
19 ation Area and an adjacent portion of Federal land
20 managed by the Bureau of Land Management, com-
21 prising approximately 33,518 acres, as generally de-
22 picted on the map entitled “Eldorado/Spirit Moun-
23 tain”, dated October 1, 2002, which shall be known
24 as the Spirit Mountain Wilderness.

1 (18) WEE THUMP JOSHUA TREE WILDER-
2 NESS.—Certain Federal land managed by the Bu-
3 reau of Land Management, comprising approxi-
4 mately 6,050 acres, as generally depicted on the
5 map entitled “McCulloughs”, dated October 1, 2002,
6 which shall be known as the Wee Thump Joshua
7 Tree Wilderness.

8 (b) BOUNDARY.—

9 (1) LAKE OFFSET.—The boundary of any por-
10 tion of a wilderness area designated by subsection
11 (a) that is bordered by Lake Mead, Lake Mohave,
12 or the Colorado River shall be 300 feet inland from
13 the high water line.

14 (2) ROAD OFFSET.—The boundary of any por-
15 tion of a wilderness area designated by subsection
16 (a) that is bordered by a road shall be at least 100
17 feet from the edge of the road to allow public access.

18 (c) MAP AND LEGAL DESCRIPTION.—

19 (1) IN GENERAL.—As soon as practicable after
20 the date of enactment of this Act, the Secretary
21 shall file a map and legal description of each wilder-
22 ness area designated by subsection (a) with the
23 Committee on Resources of the House of Represent-
24 atives and the Committee on Energy and Natural
25 Resources of the Senate.

1 (2) EFFECT.—Each map and legal description
2 shall have the same force and effect as if included
3 in this section, except that the Secretary may correct
4 clerical and typographical errors in the map or legal
5 description.

6 (3) AVAILABILITY.—Each map and legal de-
7 scription shall be on file and available for public in-
8 spection in the appropriate offices of the Bureau of
9 Land Management, National Park Service, or Forest
10 Service, as applicable.

11 (d) WITHDRAWAL.—Subject to valid existing rights,
12 the wilderness areas designated in this section are with-
13 drawn from—

14 (1) all forms of entry, appropriation, and dis-
15 posal under the public land laws;

16 (2) location, entry, and patent under the mining
17 laws; and

18 (3) operation of the mineral leasing, mineral
19 materials, and geothermal leasing laws.

20 **SEC. 203. ADMINISTRATION.**

21 (a) MANAGEMENT.—Subject to valid existing rights,
22 each area designated as wilderness by this title shall be
23 administered by the Secretary in accordance with the Wil-
24 derness Act (16 U.S.C. 1131 et seq.), except that—

1 (1) any reference in that Act to the effective
2 date shall be considered to be a reference to the date
3 of enactment of this Act; and

4 (2) any reference in that Act to the Secretary
5 of Agriculture shall be considered to be a reference
6 to the Secretary of the Interior with respect to lands
7 administered by the Secretary of the Interior.

8 (b) LIVESTOCK.—Within the wilderness areas des-
9 ignated under this title that are administered by the Bu-
10 reau of Land Management, the grazing of livestock in
11 areas in which grazing is established as of the date of en-
12 actment of this Act shall be allowed to continue, subject
13 to such reasonable regulations, policies, and practices that
14 the Secretary considers necessary, consistent with section
15 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), in-
16 cluding the guidelines set forth in Appendix A of House
17 Report 101–405.

18 (c) INCORPORATION OF ACQUIRED LANDS AND IN-
19 TERESTS.—Any land or interest in land within the bound-
20 aries of an area designated as wilderness by this title that
21 is acquired by the United States after the date of enact-
22 ment of this Act shall be added to and administered as
23 part of the wilderness area within which the acquired land
24 or interest is located.

25 (d) WATER RIGHTS.—

1 (1) FINDINGS.—Congress finds that—

2 (A) the lands designated as Wilderness by
3 this Act are within the Mojave Desert, are arid
4 in nature, and include ephemeral streams;

5 (B) the hydrology of the lands designated
6 as wilderness by this Act is locally characterized
7 by complex flow patterns and alluvial fans with
8 impermanent channels;

9 (C) the subsurface hydrogeology of the re-
10 gion is characterized by ground water subject to
11 local and regional flow gradients and artesian
12 aquifers;

13 (D) the lands designated as wilderness by
14 this Act are generally not suitable for use or de-
15 velopment of new water resource facilities and
16 there are no actual or proposed water resource
17 facilities and no opportunities for diversion,
18 storage, or other uses of water occurring out-
19 side such lands that would adversely affect the
20 wilderness or other values of such lands; and

21 (E) because of the unique nature and hy-
22 drology of these desert lands designated as wil-
23 derness by this Act and the existence of the
24 Clark County Multi-Species Habitat Conserva-
25 tion Plan it is possible to provide for proper

1 management and protection of the wilderness,
2 perennial springs and other values of such lands
3 in ways different from those used in other legis-
4 lation.

5 (2) STATUTORY CONSTRUCTION.—

6 (A) Nothing in this Act shall constitute or
7 be construed to constitute either an express or
8 implied reservation by the United States of any
9 water or water rights with respect to the lands
10 designated as Wilderness by this Act.

11 (B) Nothing in this Act shall affect any
12 water rights in the State of Nevada existing on
13 the date of the enactment of this Act, including
14 any water rights held by the United States.

15 (C) Nothing in this subsection shall be
16 construed as establishing a precedent with re-
17 gard to any future wilderness designations.

18 (D) Nothing in this Act shall be construed
19 as limiting, altering, modifying, or amending
20 any of the interstate compacts or equitable ap-
21 portionment decrees that apportion water
22 among and between the State of Nevada and
23 other States.

24 (E) Nothing in this subsection shall be
25 construed as limiting, altering, modifying, or

1 amending the Clark County Multi-Species Habi-
2 tat Conservation Plan (MSHCP) with respect
3 to the lands designated as Wilderness by this
4 Act including the MSHCP's specific manage-
5 ment actions for the conservation of perennial
6 springs.

7 (3) NEVADA WATER LAW.—The Secretary shall
8 follow the procedural and substantive requirements
9 of the law of the State of Nevada in order to obtain
10 and hold any water rights not in existence on the
11 date of enactment of this Act with respect to the wil-
12 derness areas designated by this Act.

13 (4) NEW PROJECTS.—

14 (A) As used in this paragraph, the term
15 “water resource” facility means irrigation and
16 pumping facilities, reservoirs, water conserva-
17 tion works, aqueducts, canals, ditches, pipelines,
18 wells, hydropower projects, and transmission
19 and other ancillary facilities, and other water
20 diversion, storage, and carriage structures. The
21 term “water resource” facility does not include
22 wildlife guzzlers.

23 (B) Except as otherwise provided in this
24 Act, on and after the date of the enactment of
25 this Act, neither the President nor any other of-

1 ficer, employee, or agent of the United States
2 shall fund, assist, authorize, or issue a license
3 or permit for the development of any new water
4 resource facility within the wilderness areas
5 designated by this Act.

6 **SEC. 204. ADJACENT MANAGEMENT.**

7 (a) IN GENERAL.—Congress does not intend for the
8 designation of wilderness in the State pursuant to this
9 title to lead to the creation of protective perimeters or
10 buffer zones around any such wilderness area.

11 (b) NONWILDERNESS ACTIVITIES.—The fact that
12 nonwilderness activities or uses can be seen or heard from
13 areas within a wilderness designated under this title shall
14 not preclude the conduct of those activities or uses outside
15 the boundary of the wilderness area.

16 **SEC. 205. MILITARY OVERFLIGHTS.**

17 Nothing in this title restricts or precludes—

18 (1) low-level overflights of military aircraft over
19 the areas designated as wilderness by this title, in-
20 cluding military overflights that can be seen or
21 heard within the wilderness areas;

22 (2) flight testing and evaluation; or

23 (3) the designation or creation of new units of
24 special use airspace, or the establishment of military
25 flight training routes, over the wilderness areas.

1 **SEC. 206. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
2 **USES.**

3 Nothing in this Act shall be construed to diminish
4 the rights of any Indian Tribe. Nothing in this Act shall
5 be construed to diminish tribal rights regarding access to
6 Federal lands for tribal activities, including spiritual, cul-
7 tural, and traditional food-gathering activities.

8 **SEC. 207. RELEASE OF WILDERNESS STUDY AREAS.**

9 (a) FINDING.—Congress finds that, for the purposes
10 of section 603 of the Federal Land Policy and Manage-
11 ment Act of 1976 (43 U.S.C. 1782), the public land in
12 the County administered by the Bureau of Land Manage-
13 ment and the Forest Service in the following areas have
14 been adequately studied for wilderness designation:

15 (1) The Garrett Buttes Wilderness Study Area.

16 (2) The Quail Springs Wilderness Study Area.

17 (3) The Nellis A, B, C Wilderness Study Area.

18 (4) Any portion of the wilderness study areas—

19 (A) not designated as wilderness by section
20 202(a); and

21 (B) designated for release on—

22 (i) the map entitled “Muddy Moun-
23 tains” and dated October 1, 2002;

24 (ii) the map entitled “Spring Moun-
25 tains” and dated October 1, 2002;

1 (iii) the map entitled “Arrow Canyon”
2 and dated October 1, 2002;

3 (iv) the map entitled “Gold Butte”
4 and dated October 1, 2002;

5 (v) the map entitled “McCullough
6 Mountains” and dated October 1, 2002;

7 (vi) the map entitled “El Dorado/
8 Spirit Mountain” and dated October 1,
9 2002; or

10 (vii) the map entitled “Southern Ne-
11 vada Public Land Management Act” and
12 dated October 1, 2002.

13 (b) RELEASE.—Except as provided in subsection (c),
14 any public land described in subsection (a) that is not des-
15 ignated as wilderness by this title—

16 (1) is no longer subject to section 603(c) of the
17 Federal Land Policy and Management Act of 1976
18 (43 U.S.C. 1782(c)); and

19 (2) shall be managed in accordance with—

20 (A) land management plans adopted under
21 section 202 of that Act (43 U.S.C. 1712); and

22 (B) existing cooperative conservation
23 agreements.

24 (c) RIGHT-OF-WAY GRANT.—The Secretary shall
25 issue to the State-regulated sponsor of the Centennial

1 Project the right-of-way for the construction and mainte-
2 nance of two 500-kilovolt electrical transmission lines. The
3 construction shall occur within a 500-foot-wide corridor
4 that is released from the Sunrise Mountains Instant Study
5 Area in the County as depicted on the Southern Nevada
6 Public Land Management Act map, dated October 1,
7 2002.

8 **SEC. 208. WILDLIFE MANAGEMENT.**

9 (a) IN GENERAL.—In accordance with section
10 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
11 nothing in this title affects or diminishes the jurisdiction
12 of the State with respect to fish and wildlife management,
13 including the regulation of hunting, fishing, and trapping,
14 in the wilderness areas designated by this title.

15 (b) MANAGEMENT ACTIVITIES.—In furtherance of
16 the purposes and principles of the Wilderness Act, man-
17 agement activities to maintain or restore fish and wildlife
18 populations and the habitats to support such populations
19 may be carried out within wilderness areas designated by
20 this title where consistent with relevant wilderness man-
21 agement plans, in accordance with appropriate policies
22 such as those set forth in Appendix B of House Report
23 101–405, including the occasional and temporary use of
24 motorized vehicles, if such use, as determined by the Sec-
25 retary, would promote healthy, viable, and more naturally

1 distributed wildlife populations that would enhance wilder-
2 ness values and accomplish those purposes with the min-
3 imum impact necessary to reasonably accomplish the task.

4 (c) EXISTING ACTIVITIES.—Consistent with section
5 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)) and
6 in accordance with appropriate policies such as those set
7 forth in Appendix B of House Report 101–405, the State
8 may continue to use aircraft, including helicopters, to sur-
9 vey, capture, transplant, monitor, and provide water for
10 wildlife populations, including bighorn sheep, and feral
11 stock, horses, and burros.

12 (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—
13 Subject to subsection (f), the Secretary shall, authorize
14 structures and facilities, including existing structures and
15 facilities, for wildlife water development projects, including
16 guzzlers, in the wilderness areas designated by this title
17 if—

18 (1) the structures and facilities will, as deter-
19 mined by the Secretary, enhance wilderness values
20 by promoting healthy, viable and more naturally dis-
21 tributed wildlife populations; and

22 (2) the visual impacts of the structures and fa-
23 cilities on the wilderness areas can reasonably be
24 minimized.

1 (e) HUNTING, FISHING, AND TRAPPING.—The Sec-
2 retary may designate by regulation areas in consultation
3 with the appropriate State agency (except in emergencies),
4 in which, and establish periods during which, for reasons
5 of public safety, administration, or compliance with appli-
6 cable laws, no hunting, fishing, or trapping will be per-
7 mitted in the wilderness areas designated by this title.

8 (f) COOPERATIVE AGREEMENT.—No later than one
9 year after the date of enactment of this Act, the Secretary
10 shall enter into a cooperative agreement with the State
11 of Nevada. The cooperative agreement shall specify the
12 terms and conditions under which the State (including a
13 designee of the State) may use wildlife management activi-
14 ties in the wilderness areas designated by this title.

15 **SEC. 209. WILDFIRE MANAGEMENT.**

16 Consistent with section 4 of the Wilderness Act (16
17 U.S.C. 1133), nothing in this title precludes a Federal,
18 State, or local agency from conducting wildfire manage-
19 ment operations (including operations using aircraft or
20 mechanized equipment) to manage wildfires in the wilder-
21 ness areas designated by this title.

22 **SEC. 210. CLIMATOLOGICAL DATA COLLECTION.**

23 Subject to such terms and conditions as the Secretary
24 may prescribe, nothing in this title precludes the installa-
25 tion and maintenance of hydrologic, meteorologic, or cli-

1 matological collection devices in the wilderness areas des-
 2 ignated by this title if the facilities and access to the facili-
 3 ties are essential to flood warning, flood control, and water
 4 reservoir operation activities.

5 **SEC. 211. NATIONAL PARK SERVICE LANDS.**

6 To the extent any of the provisions of this title are
 7 in conflict with laws, regulations, or management policies
 8 applicable to the National Park Service for Lake Mead
 9 National Recreation Area, those laws, regulations, or poli-
 10 cies shall control.

11 **TITLE III—TRANSFERS OF**
 12 **ADMINISTRATIVE JURISDICTION**

13 **SEC. 301. TRANSFER OF ADMINISTRATIVE JURISDICTION**
 14 **TO THE U.S. FISH AND WILDLIFE SERVICE.**

15 (a) IN GENERAL.—Administrative jurisdiction over
 16 the land described in subsection (b) is transferred from
 17 the Bureau of Land Management to the United States
 18 Fish and Wildlife Service for inclusion in the Desert Na-
 19 tional Wildlife Range.

20 (b) DESCRIPTION OF LAND.—The parcel of land re-
 21 ferred to in subsection (a) is the approximately 26,433
 22 acres of land administered by the Bureau of Land Man-
 23 agement as generally depicted on the map entitled “Arrow
 24 Canyon” and dated October 1, 2002.

25 (c) WILDERNESS RELEASE.—

1 (1) Congress finds that the parcel of land de-
2 scribed in subsection (b) has been adequately studied
3 for wilderness designation for the purposes of sec-
4 tion 603(c) of the Federal Land Policy and Manage-
5 ment Act of 1976 (43 U.S.C. 1782(c)).

6 (2) The parcel of land described in subsection
7 (b)—

8 (A) shall not be subject to section 603(c)
9 of the Federal Land Policy and Management
10 Act of 1976 (43 U.S.C. 1782(c)); and

11 (B) shall be managed in accordance with
12 (i) the National Wildlife Refuge Sys-
13 tem Administration Act, as amended by
14 the National Wildlife Refuge System Im-
15 provement Act of 1997 (16 U.S.C.
16 668dd–668ee); and

17 (ii) existing cooperative conservation
18 agreements.

19 **SEC. 302. TRANSFER OF ADMINISTRATIVE JURISDICTION**
20 **TO NATIONAL PARK SERVICE.**

21 (a) IN GENERAL.—Administrative jurisdiction over
22 the parcel of land described in subsection (b) is trans-
23 ferred from the Bureau of Land Management to the Na-
24 tional Park Service for inclusion in the Lake Mead Na-
25 tional Recreation Area.

1 (b) DESCRIPTION OF LAND.—The parcel of land re-
 2 ferred to in subsection (a) is the approximately 10 acres
 3 of Bureau of Land Management land, as depicted on the
 4 map entitled “Eldorado/Spirit Mountain” and dated Octo-
 5 ber 1, 2002.

6 (c) USE OF LAND.—The parcel of land described in
 7 subsection (b) shall be used by the National Park Service
 8 for administrative facilities.

9 **TITLE IV—AMENDMENTS TO THE**
 10 **SOUTHERN NEVADA PUBLIC**
 11 **LAND MANAGEMENT ACT**

12 **SEC. 401. DISPOSAL AND EXCHANGE.**

13 (a) IN GENERAL.—Section 4 of the Southern Nevada
 14 Public Land Management Act of 1998 (112 Stat. 2344)
 15 is amended—

16 (1) in the first sentence of subsection (a), by
 17 striking “entitled Las Vegas Valley, Nevada, Land
 18 Disposal Map, dated April 10, 1997” and inserting
 19 “entitled Southern Nevada Public Land Manage-
 20 ment Act, dated October 1, 2002”; and

21 (2) in subsection (e)(3)(A)—

22 (A) in clause (iv)—

23 (i) by inserting “or regional govern-
 24 mental” entity after “local government”;
 25 and

1 (ii) by striking “and” at the end;
 2 (B) by redesignating clause (v) as clause
 3 (vi); and
 4 (C) by inserting after clause (iv) the fol-
 5 lowing:
 6 “(v) up to 10 percent of amounts
 7 available, to be used for conservation ini-
 8 tiatives on Federal land in Clark County,
 9 Nevada, administered by the Department
 10 of the Interior or the Department of Agri-
 11 culture; and”.

12 (b) EFFECTIVE DATE.—The amendments made by
 13 subsection (a) take effect on January 31, 2003.

14 (c) WITHDRAWAL.—Subject to valid existing rights,
 15 the land designated for disposal in this section is with-
 16 drawn from entry and appropriation under the public land
 17 laws, location and entry, under the mining laws, and from
 18 operation under the mineral leasing and geothermal leas-
 19 ing laws until such times as the Secretary terminates the
 20 withdrawal or the lands are patented.

21 **TITLE V—IVANPAH CORRIDOR**

22 **SEC. 501. INTERSTATE ROUTE 15 SOUTH CORRIDOR.**

23 (a) MANAGEMENT OF INTERSTATE ROUTE 15 COR-
 24 RIDOR LAND.—

1 (1) IN GENERAL.—The Secretary shall manage
2 the land located along the Interstate Route 15 cor-
3 ridor south of the Las Vegas Valley to the border
4 between the States of California and Nevada, gen-
5 erally depicted as Interstate 15 South Corridor on
6 the map entitled “Clark County Conservation of
7 Public Land and Natural Resources Act of 2002”
8 and dated October 1, 2002, in accordance with the
9 Southern Nevada Public Land Management Act of
10 1998 (112 Stat. 2343) and this section.

11 (2) AVAILABILITY OF MAP.—The map described
12 in paragraph (1) shall be on file and available for
13 public inspection in the appropriate offices of the
14 Bureau of Land Management.

15 (3) MULTIPLE USE MANAGEMENT.—Subject to
16 any land management designations under the 1998
17 Las Vegas District Resource Management Plan or
18 the Clark County Multi-Species Conservation Plan,
19 land depicted on the map described in paragraph (1)
20 shall be managed for multiple use purposes.

21 (4) TERMINATION OF ADMINISTRATIVE WITH-
22 DRAWAL.—The administrative withdrawal of the
23 land identified as the Interstate 15 South Corridor
24 on the map entitled “Clark County Conservation of
25 Public Land and Natural Resources Act of 2002”

1 and dated October 1, 2002, from mineral entry
2 dated July 23, 1997, and as amended March 9,
3 1998, as further amended July 2, 2002, is termi-
4 nated.

5 (5) WITHDRAWAL OF LAND.—Subject to valid
6 existing rights, the corridor described in subsection
7 (b) and the land described in subsection (c)(1) are
8 withdrawn from location and entry under the mining
9 laws, and from operation under the mineral leasing
10 and geothermal leasing laws, until such time as—

11 (A) the Secretary terminates the with-
12 drawal; or

13 (B) the corridor or land, respectively, is
14 patented.

15 (b) TRANSPORTATION AND UTILITIES CORRIDOR.—
16 Notwithstanding sections 202 and 203 of the Federal
17 Land Policy and Management Act of 1976 (43 U.S.C.
18 1712, 1713), the Secretary, in consultation with the City
19 of Henderson and the County, and in accordance with this
20 section and other applicable laws and subject to valid ex-
21 isting rights, shall establish a 2,640-foot-wide corridor be-
22 tween the Las Vegas valley and the proposed Ivanpah Air-
23 port for the placement, on a nonexclusive basis, of utilities
24 and transportation.

1 (c) IVANPAH AIRPORT ENVIRONS OVERLAY DISTRICT
2 LAND TRANSFER.—

3 (1) IN GENERAL.—Subject to paragraph (2)
4 and valid existing rights, on request by the County,
5 the Secretary shall transfer to the County, without
6 consideration, all right, title, and interest of the
7 United States in and to the land identified as
8 Ivanpah Airport noise compatibility area on the map
9 entitled “Clark County Conservation of Public Land
10 and Natural Resources Act of 2002” and dated Oc-
11 tober 1, 2002.

12 (2) CONDITIONS FOR TRANSFER.—As a condi-
13 tion of the transfer under paragraph (1), the County
14 shall agree—

15 (A) to manage the transferred land in ac-
16 cordance with section 47504 of title 49, United
17 States Code (including regulations promulgated
18 under that section); and

19 (B) that if any portion of the transferred
20 land is sold, leased, or otherwise conveyed or
21 leased by the County—

22 (i) the sale, lease, or other conveyance
23 shall be—

24 (I) subject to a limitation that
25 requires that any use of the trans-

1 ferred land be consistent with the
2 Agreement and section 47504 of title
3 49, United States Code (including
4 regulations promulgated under that
5 section); and

6 (II) for fair market value; and

7 (ii) of any gross proceeds received by
8 the County from the sale, lease, or other
9 conveyance of the land, the County shall—

10 (I) contribute 85 percent to the
11 special account established by section
12 4(e)(1)(C) of the Southern Nevada
13 Public Land Management Act of 1998
14 (112 Stat. 2345);

15 (II) contribute 5 percent to the
16 State for use in the general education
17 program of the State; and

18 (III) reserve 10 percent for use
19 by the Clark County Department of
20 Aviation for airport development and
21 noise compatibility programs.

22 (d) EFFECTIVE DATE.—Subsections (b) and (c) shall
23 not take effect until construction of the Ivanpah Valley
24 Airport is approved in accordance with Public Law 106–
25 362.

1 **SEC. 502. AREA OF CRITICAL ENVIRONMENTAL CONCERN**
2 **SEGREGATION.**

3 (a) TEMPORARY WITHDRAWAL.—Subject to valid ex-
4 isting rights, any Federal land in an Area of Critical Envi-
5 ronmental Concern that is designated for withdrawal
6 under the 1998 Las Vegas Resource Management Plan,
7 and which is not already withdrawn by the effect of this
8 or any other Act, is hereby withdrawn from location,
9 entry, and patent under the mining laws for a period not
10 to exceed five years. The withdrawal shall lapse at the ear-
11 lier—

- 12 (1) five years; or
13 (2) when the Secretary issues a final decision
14 on each proposed withdrawal.

15 (b) ADMINISTRATIVE WITHDRAWAL.—The Secretary
16 shall make final decisions on each of the temporary with-
17 draws described in subsection (a) within five years of
18 the date of enactment of this Act. Such decisions shall
19 be made consistent with the Federal Land Policy and
20 Management Act (43 U.S.C. 1714), and in accordance
21 with the 1998 Las Vegas Resource Management Plan.

22 (c) MINERAL REPORT.—The mineral reports re-
23 quired by section 204(c)(12) of the Federal Land Policy
24 and Management Act shall be the responsibility of the
25 U.S. Geological Survey and shall be completed for each

1 of the temporary withdrawals described in subsection (a)
2 within four years of the date of enactment of this Act.

3 **TITLE VI—SLOAN CANYON NA-**
4 **TIONAL CONSERVATION AREA**

5 **SEC. 601. SHORT TITLE.**

6 This title may be cited as the “Sloan Canyon Na-
7 tional Conservation Area Act”.

8 **SEC. 602. PURPOSE.**

9 The purpose of this title is to establish the Sloan
10 Canyon National Conservation Area to conserve, protect,
11 and enhance for the benefit and enjoyment of present and
12 future generations the cultural, archaeological, natural,
13 wilderness, scientific, geological, historical, biological,
14 wildlife, educational, and scenic resources of the Conserva-
15 tion Area.

16 **SEC. 603. DEFINITIONS.**

17 In this title:

18 (1) **CONSERVATION AREA.**—The term “Con-
19 servation Area” means the Sloan Canyon National
20 Conservation Area established by section 604(a).

21 (2) **FEDERAL PARCEL.**—The term “Federal
22 parcel” means the parcel of Federal land consisting
23 of approximately 500 acres that is identified as
24 Tract A on the map entitled “Southern Nevada Pub-

1 lic Land Management Act” and dated October 1,
2 2002.

3 (3) MANAGEMENT PLAN.—The term “manage-
4 ment plan” means the management plan for the
5 Conservation Area developed under section 605(b).

6 (4) MAP.—The term “map” means the map en-
7 titled “Southern Nevada Public Land Management
8 Act” and dated October 1, 2002.

9 **SEC. 604. ESTABLISHMENT.**

10 (a) IN GENERAL.—For the purpose described in sec-
11 tion 602, there is established in the State a conservation
12 area to be known as the Sloan Canyon National Conserva-
13 tion Area.

14 (b) AREA INCLUDED.—The Conservation Area shall
15 consist of approximately 48,438 acres of public land in
16 the County, as generally depicted on the map.

17 (c) MAP AND LEGAL DESCRIPTION.—

18 (1) IN GENERAL.—As soon as practicable after
19 the date of enactment of this Act, the Secretary
20 shall submit to Congress a map and legal description
21 of the Conservation Area.

22 (2) EFFECT.—The map and legal description
23 shall have the same force and effect as if included
24 in this section, except that the Secretary may correct
25 minor errors in the map or legal description.

1 (3) PUBLIC AVAILABILITY.—A copy of the map
2 and legal description shall be on file and available
3 for public inspection in the appropriate office of the
4 Bureau of Land Management.

5 **SEC. 605. MANAGEMENT.**

6 (a) IN GENERAL.—The Secretary, acting through the
7 Director of the Bureau of Land Management, shall man-
8 age the Conservation Area—

9 (1) in a manner that conserves, protects, and
10 enhances the resources of the Conservation Area;
11 and

12 (2) in accordance with—

13 (A) the Federal Land Policy and Manage-
14 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

15 (B) other applicable law, including this
16 Act.

17 (b) MANAGEMENT PLAN.—

18 (1) IN GENERAL.—Not later than 3 years after
19 the date of enactment of this Act, the Secretary, in
20 consultation with the State, the city of Henderson,
21 the County, and any other interested persons, shall
22 develop a management plan for the Conservation
23 Area.

24 (2) REQUIREMENTS.—The management plan
25 shall—

1 (A) describe the appropriate uses and
2 management of the Conservation Area;

3 (B)(i) authorize the use of motorized vehi-
4 cles in the Conservation Area—

5 (I) for installing, repairing, maintain-
6 ing, and reconstructing water development
7 projects, including guzzlers, that would en-
8 hance the Conservation Area by promoting
9 healthy, viable, and more naturally distrib-
10 uted wildlife populations; and

11 (II) subject to any limitations that are
12 not more restrictive than the limitations on
13 such uses authorized in wilderness areas
14 under section 208; and

15 (ii) include or provide recommendations on
16 ways of minimizing the visual impacts of such
17 activities on the Conservation Area;

18 (C) include a plan for litter cleanup and
19 public lands awareness campaign on public
20 lands in and around the Conservation Area; and

21 (D) include a recommendation on the loca-
22 tion for a right-of-way for a rural roadway to
23 provide the city of Henderson with access to the
24 Conservation Area, in accordance with the ap-
25 plication numbered N-65874.

1 (c) USES.—The Secretary shall allow only such uses
2 of the Conservation Area that the Secretary determines
3 will further the purpose described in section 602.

4 (d) MOTORIZED VEHICLES.—Except as needed for
5 administrative purposes or to respond to an emergency,
6 the use of motorized vehicles in the Conservation Area
7 shall be permitted only on roads and trails designated for
8 the use of motorized vehicles by the management plan de-
9 veloped under subsection (b).

10 (e) WITHDRAWAL.—

11 (1) IN GENERAL.—Subject to valid existing
12 rights, all public land in the Conservation Area is
13 withdrawn from—

14 (A) all forms of entry and appropriation
15 under the public land laws;

16 (B) location, entry, and patent under the
17 mining laws; and

18 (C) operation of the mineral leasing, min-
19 eral materials, and geothermal leasing laws.

20 (2) ADDITIONAL LAND.—Notwithstanding any
21 other provision of law, if the Secretary acquires min-
22 eral or other interests in a parcel of land within the
23 Conservation Area after the date of enactment of
24 this Act, the parcel is withdrawn from operation of

1 the laws referred to in paragraph (1) on the date of
2 acquisition of the land.

3 (f) HUNTING, FISHING, AND TRAPPING.—

4 (1) IN GENERAL.—Nothing in this title affects
5 the jurisdiction of the State with respect to fish and
6 wildlife, including hunting, fishing, and trapping in
7 the Conservation Area.

8 (2) LIMITATIONS.—

9 (A) REGULATIONS.—The Secretary may
10 designate by regulation areas in which, and es-
11 tablish periods during which, for reasons of
12 public safety, administration, or compliance
13 with applicable laws, no hunting, fishing, or
14 trapping will be permitted in the Conservation
15 Area.

16 (B) CONSULTATION.—Except in emer-
17 gencies, the Secretary shall consult with the ap-
18 propriate State agency before promulgating reg-
19 ulations under subparagraph (A) that close a
20 portion of the Conservation Area to hunting,
21 fishing, or trapping.

22 (g) NO BUFFER ZONES.—

23 (1) IN GENERAL.—The establishment of the
24 Conservation Area shall not create an express or im-

1 plied protective perimeter or buffer zone around the
2 Conservation Area.

3 (2) PRIVATE LAND.—If the use of, or conduct
4 of an activity on, private land that shares a bound-
5 ary with the Conservation Area is consistent with
6 applicable law, nothing in this title concerning the
7 establishment of the Conservation Area shall pro-
8 hibit or limit the use or conduct of the activity.

9 **SEC. 606. SALE OF FEDERAL PARCEL.**

10 (a) IN GENERAL.—Notwithstanding sections 202 and
11 203 of the Federal Land Policy and Management Act of
12 1976 (43 U.S.C. 1712, 1713) and subject to valid existing
13 rights, not later than 1 year after the date of enactment
14 of this Act, the Secretary shall convey to the highest quali-
15 fied bidder all right, title, and interest of the United
16 States in and to the Federal parcel.

17 (b) DISPOSITION OF PROCEEDS.—Of the gross pro-
18 ceeds from the conveyance of land under subsection (a)—

19 (1) 5 percent shall be available to the State for
20 use in the general education program of the State;
21 and

22 (2) the remainder shall be deposited in the spe-
23 cial account established under the Southern Nevada
24 Public Lands Management Act of 1998 (Public Law

1 105–263; 112 Stat. 2345), to be available to the
2 Secretary, without further appropriation for—

3 (A) the construction and operation of fa-
4 cilities to support the management of the Con-
5 servation Area;

6 (B) the construction and repair of trails
7 and roads in the Conservation Area authorized
8 under the management plan;

9 (C) research on and interpretation of the
10 archaeological and geological resources of the
11 Conservation Area;

12 (D) conservation and research relating to
13 the Conservation Area; and

14 (E) any other purpose that the Secretary
15 determines to be consistent with the purpose
16 described in section 602.

17 **SEC. 607. RIGHT-OF-WAY.**

18 Not later than 180 days after the date of enactment
19 of this Act, the Secretary shall convey to the City of Hen-
20 derson the public right-of-way requested for public trail
21 purposes under the application numbered N–76312 and
22 the public right-of-way requested for public trail purposes
23 under the application numbered N–65874.

TITLE VII—PUBLIC INTEREST CONVEYANCES

SEC. 701. DEFINITION OF MAP.

In this title, the term “map” means the map entitled “Southern Nevada Public Land Management Act” and dated October 1, 2002.

SEC. 702. CONVEYANCE TO THE UNIVERSITY OF NEVADA AT LAS VEGAS RESEARCH FOUNDATION.

(a) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) the University of Nevada, Las Vegas, needs land in the greater Las Vegas area to provide for the future growth of the university;

(B) the proposal by the University of Nevada, Las Vegas, for construction of a research park and technology center in the greater Las Vegas area would enhance the high tech industry and entrepreneurship in the State; and

(C) the land transferred to the Clark County Department of Aviation under section 4(g) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2346) is the best location for the research park and technology center.

1 (2) PURPOSES.—The purposes of this section
2 are—

3 (A) to provide a suitable location for the
4 construction of a research park and technology
5 center in the greater Las Vegas area;

6 (B) to provide the public with opportuni-
7 ties for education and research in the field of
8 high technology; and

9 (C) to provide the State with opportunities
10 for competition and economic development in
11 the field of high technology.

12 (b) TECHNOLOGY RESEARCH CENTER.—

13 (1) CONVEYANCE.—Notwithstanding section
14 4(g)(4) of the Southern Nevada Public Land Man-
15 agement Act of 1998 (112 Stat. 2347), the Clark
16 County Department of Aviation may convey, without
17 consideration, all right, title, and interest in and to
18 the parcel of land described in paragraph (3) to the
19 University of Nevada at Las Vegas Research Foun-
20 dation (referred to in this section as “Foundation”)
21 for the development of a technology research center.

22 (2) CONDITION.—The conveyance under para-
23 graph (1) shall be subject to the condition that the
24 Foundation enter into an agreement that if the land

1 described in paragraph (3) is sold, leased, or other-
2 wise conveyed by the Foundation.

3 (A) the Foundation shall sell, lease, or oth-
4 erwise convey the land for fair market value;

5 (B) the Foundation shall contribute 85
6 percent of the gross proceeds from the sale,
7 lease, or conveyance of the land to the special
8 account;

9 (C) with respect to land identified on the
10 map entitled “Las Vegas Valley, Nevada, Land
11 Sales Map”, numbered 7306A, and dated May
12 1980, the proceeds from the sale, lease, or con-
13 veyance of the land identified on the map con-
14 tributed to the special account by the Founda-
15 tion under subparagraph (B) shall be used by
16 the Secretary of Agriculture to acquire environ-
17 mentally sensitive land in the Lake Tahoe
18 Basin under section 3 of Public Law 96–586
19 (94 Stat. 3383);

20 (D) the Foundation shall contribute 5 per-
21 cent of the gross proceeds from the sale, lease,
22 or conveyance of the land to the State of Ne-
23 vada for use in the general education program
24 of the State; and

1 (E) the remainder of the gross proceeds
 2 from the sale, lease, or conveyance of the land
 3 shall be available for use by the Foundation.

4 (3) DESCRIPTION OF LAND.—The parcel of
 5 land referred to in paragraph (1) is the parcel of
 6 Clark County Department of Aviation land—

7 (A) consisting of approximately 115 acres;
 8 and

9 (B) located in the SAW¹/₄ of section 33, T.
 10 21 S., R. 60 E., Mount Diablo Base and Merid-
 11 ian.

12 **SEC. 703. CONVEYANCE TO THE LAS VEGAS METROPOLI-**
 13 **TAN POLICE DEPARTMENT.**

14 The Secretary shall convey to the Las Vegas Metro-
 15 politan Police Department, without consideration, all
 16 right, title, and interest in and to the parcel of land identi-
 17 fied as “Tract F” on the map for use as a shooting range.

18 **SEC. 704. CONVEYANCE TO THE CITY OF HENDERSON FOR**
 19 **THE NEVADA STATE COLLEGE AT HENDER-**
 20 **SON.**

21 (a) DEFINITIONS.—In this section:

22 (1) CHANCELLOR.—The term “Chancellor”
 23 means the Chancellor of the University system.

24 (2) CITY.—The term “City” means the city of
 25 Henderson, Nevada.

1 (3) COLLEGE.—The term “College” means the
2 Nevada State College at Henderson.

3 (4) SURVEY.—The term “survey means” the
4 land survey required under Federal law to define the
5 official metes and bounds of the parcel of Federal
6 land identified as Tract H on the map.

7 (5) UNIVERSITY SYSTEM.—The term “Univer-
8 sity system” means the University and Community
9 College System of Nevada.

10 (b) CONVEYANCE.—

11 (1) IN GENERAL.—Notwithstanding the Federal
12 Land Policy and Management Act of 1976 (43
13 U.S.C. 1701 et seq.) and section 1(c) of the Act of
14 June 14, 1926 (commonly known as the “Recreation
15 and Public Purposes Act”) (43 U.S.C. 869(c)), not
16 later than 180 days after the date on which the sur-
17 vey is approved, the Secretary shall convey to the
18 City, without consideration, all right, title, and inter-
19 est of the United States in and to the parcel of Fed-
20 eral land identified as “Tract H” on the map for use
21 as a campus for the College.

22 (2) CONDITIONS.—

23 (A) IN GENERAL.—As a condition of the
24 conveyance under paragraph (1), the Chancellor
25 and the City shall agree in writing—

1 (i) to pay any administrative costs as-
2 sociated with the conveyance, including the
3 costs of any environmental, wildlife, cul-
4 tural, or historical resources studies;

5 (ii) to use the Federal land conveyed
6 for educational and recreational purposes;

7 (iii) to release and indemnify the
8 United States from any claims or —li-
9 abilities which may arise from uses that
10 are carried out on the Federal land on or
11 before the date of enactment of this Act by
12 the United States or any person;

13 (iv) as soon as practicable after the
14 date of the conveyance under paragraph
15 (1), to erect at the College an appropriate
16 and centrally located monument that ac-
17 knowledges the conveyance of the Federal
18 land by the United States for the purpose
19 of furthering the higher education of citi-
20 zens in the State; and

21 (v) to assist the Bureau of Land Man-
22 agement in providing information to the
23 students of the College and the citizens of
24 the State on—

25 (I) public land in the State; and

1 (II) the role of the Bureau of
2 Land Management in managing, pre-
3 serving, and protecting the public
4 land.

5 (B) VALID EXISTING RIGHTS.—The con-
6 veyance under paragraph (1) shall be subject to
7 all valid existing rights.

8 (3) USE OF FEDERAL LAND.—

9 (A) IN GENERAL.—The College and the
10 City may use the land conveyed under para-
11 graph (1) for—

12 (i) any purpose relating to the estab-
13 lishment, operation, growth, and mainte-
14 nance of the College; and

15 (ii) any uses relating to such pur-
16 poses, including residential and commercial
17 development that would generally be asso-
18 ciated with an institution of higher edu-
19 cation.

20 (B) OTHER ENTITIES.—The College and
21 the City may—

22 (i) consistent with Federal and State
23 law, lease or otherwise provide property or
24 space at the College, with or without con-
25 sideration, to religious, public interest,

1 community, or other groups for services
2 and events that are of interest to the Col-
3 lege, the City, or any community located in
4 the Las Vegas Valley;

5 (ii) allow the City or any other com-
6 munity in the Las Vegas Valley to use fa-
7 cilities of the College for educational and
8 recreational programs of the City or com-
9 munity; and

10 (iii) in conjunction with the City,
11 plan, finance, (including the provision of
12 cost-share assistance), construct, and oper-
13 ate facilities for the City on the Federal
14 land conveyed for educational or rec-
15 reational purposes consistent with this sec-
16 tion.

17 (4) REVERSION.—If the Federal land or any
18 portion of the Federal land conveyed under para-
19 graph (1) ceases to be used for the College, the Fed-
20 eral land or any portion of the Federal land shall,
21 at the discretion of the Secretary, revert to the
22 United States.

23 **SEC. 705. CONVEYANCE TO THE CITY OF LAS VEGAS, NE-**
24 **VADA.**

25 (a) DEFINITIONS.—In this section:

1 (1) CITY.—The term “City” means the city of
2 Las Vegas, Nevada.

3 (2) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior, acting through the Di-
5 rector of the Bureau of Land Management.

6 (b) CONVEYANCE.—The Secretary shall convey to the
7 City, without consideration, all right, title, and interest of
8 the United States in and to the parcels of land identified
9 as “Tract C” and “Tract D” on the map.

10 (c) REVERSION.—If a parcel of land conveyed to the
11 City under subsection (b) ceases to be used for affordable
12 housing or for a purpose related to affordable housing, the
13 parcel shall, at the discretion of the Secretary, revert to
14 the United States.

15 **SEC. 706. SALE OF FEDERAL PARCEL.**

16 (a) IN GENERAL.—Notwithstanding sections 202 and
17 203 of the Federal Land Policy and Management Act of
18 1976 (43 U.S.C. 1712, 1713) and subject to valid existing
19 rights, the Secretary shall convey as a single parcel to the
20 highest qualified bidder all right, title, and interest of the
21 United States in and to approximately 360 acres that is
22 identified as the North Half (N¹/₂) of Section 7, Township
23 23 South, Range 61 East, M.D.B.&M., Clark County, Ne-
24 vada and the Northeast Quarter (NE¹/₄) of the Southeast

1 Quarter (SE¹/₄) of Section 7, Township 23 South, Range
2 61 East, M.D.M., Clark County, Nevada.

3 (b) DISPOSITION OF PROCEEDS.—The proceeds from
4 the conveyance of the lands described in subsection (a)
5 shall be deposited in accordance with section 4(e)(1) of
6 the Southern Nevada Public Land Management Act of
7 1998 (112 Stat. 2345).

8 **TITLE VIII—HUMBOLDT** 9 **PROJECT CONVEYANCE**

10 **SEC. 801. SHORT TITLE.**

11 This title may be cited as the “Humboldt Project
12 Conveyance Act”.

13 **SEC. 802. DEFINITIONS.**

14 For purposes of this title:

15 (1) SECRETARY.—The term “Secretary” means
16 the Secretary of the Interior.

17 (2) STATE.—The term “State” means the State
18 of Nevada.

19 (3) PCWCD.—The term “PCWCD” means the
20 Pershing County Water Conservation District, a
21 public entity organized under the laws of the State
22 of Nevada.

23 (4) PERSHING COUNTY.—The term “Pershing
24 County” means the Pershing County government, a
25 political subunit of the State of Nevada.

1 (5) LANDER COUNTY.—The term “Lander
2 County” means the Lander County government, a
3 political subunit of the State of Nevada.

4 **SEC. 803. AUTHORITY TO CONVEY TITLE.**

5 (a) IN GENERAL.—As soon as practicable after the
6 date of enactment of this Act and in accordance with all
7 applicable law, the Secretary shall convey all right, title,
8 and interest in and to the lands and features of the Hum-
9 boldt Project, as generally depicted on the map entitled
10 the “Humboldt Project Conveyance Act”, and dated July
11 3, 2002, including all water rights for storage and diver-
12 sion, to PCWCD, the State, Pershing County, and Lander
13 County, consistent with the terms and conditions set forth
14 in the Memorandum of Agreement between PCWCD and
15 Lander County dated January 24, 2000, the Conceptual
16 Agreement between PCWCD and the State dated October
17 18, 2001, the Letter of Agreement between Pershing
18 County and the State dated April 16, 2002, and any
19 agreements between the Bureau of Reclamation and
20 PCWCD.

21 (b) MAP.—As soon as practicable after the date of
22 the enactment of this Act, the Secretary shall submit to
23 Congress a map of the Humboldt Project Conveyance. In
24 case of a conflict between the map referred to in sub-
25 section (a) and the map submitted by the Secretary, the

1 map referred to in subsection (b) shall control. The map
2 shall have the same force and effect as if included in this
3 Act, except that the Secretary may correct clerical and ty-
4 pographical errors in such map and legal description. Cop-
5 ies of the map shall be on file and available for public
6 inspection in the Office of the Commissioner of the Bureau
7 of Reclamation and in the office of the Area Manager of
8 the Bureau of Reclamation in Carson City, Nevada.

9 (c) COMPLIANCE WITH AGREEMENTS.—All parties to
10 the conveyance under subsection (a) shall comply with the
11 terms and conditions of the agreements cited in subsection
12 (a).

13 (d) REPORT.—If the conveyance required by this sec-
14 tion has not been completed within 18 months after the
15 date of enactment of this Act, the Secretary shall submit
16 a report to the Committee on Resources of the House of
17 Representatives and the Committee on Energy and Nat-
18 ural Resources of the Senate that describes—

19 (1) the status of the conveyance;

20 (2) any obstacles to completion of the convey-
21 ance; and

22 (3) the anticipated date for completion of the
23 conveyance.

1 **SEC. 804. PAYMENT.**

2 (a) IN GENERAL.—As consideration for any convey-
3 ance required by section 803, PCWCD shall pay to the
4 United States the net present value of miscellaneous reve-
5 nues associated with the lands and facilities to be con-
6 veyed.

7 (b) WITHDRAWN LANDS.—As consideration for any
8 conveyance of withdrawn lands required by section 803,
9 the entity receiving title shall pay the United States (in
10 addition to amounts paid under subsection (a)) the fair
11 market value for any such lands conveyed that were with-
12 drawn from the public domain pursuant to the Secretarial
13 Orders dated March 16, 1934, and April 6, 1956.

14 (c) ADMINISTRATIVE COSTS.—Administrative costs
15 for conveyance of any land or facility under this title shall
16 be paid in equal shares by the Secretary and the entity
17 receiving title to the land or facility, except costs identified
18 in subsections (d) and (e).

19 (d) REAL ESTATE TRANSFER COSTS.—As a condi-
20 tion of any conveyance of any land or facility required by
21 section 803, costs of all boundary surveys, title searches,
22 cadastral surveys, appraisals, maps, and other real estate
23 transactions required for the conveyance shall be paid by
24 the entity receiving title to the land or facility.

25 (e) NEPA COSTS.—Costs associated with any review
26 required under the National Environmental Policy Act of

1 1969 (42 U.S.C. 4321 et seq.) for conveyance of any land
2 or facility under section 803 shall be paid in equal shares
3 by the Secretary and the entity receiving title to the land
4 or facility.

5 (f) STATE OF NEVADA.—The State shall not be re-
6 sponsible for any payments under this section. Any pro-
7 posal by the State to reconvey to another entity land con-
8 veyed by the Secretary under this title shall be pursuant
9 to an agreement with the Secretary providing for fair mar-
10 ket value to the United States for the lands, and for con-
11 tinued management of the lands for recreation, wildlife
12 habitat, wetlands, or resource conservation.

13 **SEC. 805. COMPLIANCE WITH OTHER LAWS.**

14 Following the conveyance required by section 803,
15 the district, the State, Pershing County, and Lander
16 County shall, with respect to the interests conveyed, com-
17 ply with all requirements of Federal, State, and local law
18 applicable to non-Federal water distribution systems.

19 **SEC. 806. REVOCATION OF WITHDRAWALS.**

20 Effective on the date of the conveyance required by
21 section 803, the Secretarial Orders dated March 16, 1934,
22 and April 6, 1956, that withdrew public lands for the Rye
23 Patch Reservoir and the Humboldt Sink, are hereby re-
24 voked.

1 **SEC. 807. LIABILITY.**

2 Effective on the date of the conveyance required by
3 section 803, the United States shall not be held liable by
4 any court for damages of any kind arising out of any act,
5 omission, or occurrence relating to the Humboldt Project,
6 except for damages caused by acts of negligence com-
7 mitted by the United States or by its employees or agents
8 prior to the date of conveyance. Nothing in this section
9 shall be considered to increase the liability of the United
10 States beyond that currently provided in chapter 171 of
11 title 28, United States Code, popularly known as the
12 “Federal Tort Claims Act”.

13 **SEC. 808. NATIONAL ENVIRONMENTAL POLICY ACT.**

14 Prior to any conveyance under this title, the Sec-
15 retary shall complete all actions as may be required under
16 the National Environmental Policy Act of 1969 (42 U.S.C.
17 4321 et seq.), the Endangered Species Act of 1973 (16
18 U.S.C. 1531 et seq.), and all other applicable laws.

19 **SEC. 809. FUTURE BENEFITS.**

20 Upon conveyance of the lands and facilities by the
21 Secretary under this title, the Humboldt Project shall no
22 longer be a Federal reclamation project and the district
23 shall not be entitled to receive any future reclamation ben-
24 efits with respect to that project, except those benefits
25 that would be available to other nonreclamation districts.

**TITLE IX—MISCELLANEOUS
PROVISIONS**

**SEC. 901. TECHNICAL AMENDMENTS TO THE MESQUITE
LANDS ACT 2001.**

Section 3 of Public Law 99–548 (100 Stat. 3061;
110 Stat. 3009–202) is amended—

(1) in subsection (d), by adding at the end the
following:

“(3) USE OF PROCEEDS.—The proceeds of the
sale of each parcel completed after the date of enact-
ment of this subsection shall be deposited in the spe-
cial account established under section 4(e)(1)(C) of
the Southern Nevada Public Land Management Act
of 1998 (112 Stat. 2345); and shall be available for
use by the Secretary—

“(A) to reimburse costs incurred by the
local offices of the Bureau of Land Manage-
ment in arranging the land conveyances di-
rected by this section;

“(B) for the development of a multispecies
habitat conservation plan for the Virgin River
in Clark County, Nevada, including any associ-
ated groundwater monitoring plan; and

“(C) as provided in section 4(e)(3) of that
Act (112 Stat. 2346).

1 “(4) TIMING.—Not later than 90 days after the
2 date of enactment of this section, the Secretary shall
3 complete the sale of any parcel authorized to be con-
4 veyed pursuant to this section and for which the
5 Secretary has received notification from the city
6 under paragraph (1).”; and

7 (2) in subsection (f)(2)(B), by adding at the
8 end the following:

9 “(v) Sec. 7.”.

 Passed the House of Representatives October 16,
2002.

Attest:

JEFF TRANDAHL,

Clerk.